

3763



Attorney Docket No. 20518/62

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Barrus et al. Conf. No. 4052
Application No.: 10/016,276 Group Art Unit: 3763
FILED: December 6, 2001 Examiner: Not yet assigned
FOR: SAFETY SHIELD FOR MEDICAL NEEDLES

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop IDS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on;

By: Michelle A. Phinney March 18, 2004
Michelle A. Phinney Date

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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Commissioner of Patents
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Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant hereby submits a Supplemental Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. X **Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.**

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- a. X Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b. _____ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c. _____ The following additional information is provided for the Examiner's consideration:

FEES

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)

(check one box)

- a. _____ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.

- b. _____ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c. X before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, **if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).**

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):

(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

- a. X No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

or

- b. _____ See the certification below. No fee is required.

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby certifies that

- a. _____ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

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Filed: December 6, 2001

Group Art Unit: 3763

b. _____ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

c. _____ some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

 X Please charge Deposit Account No. 50-0369 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

_____ No fee is required.

VII. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.704(d) (PATENT TERM
ADJUSTMENT)

Applies to original applications (other than design) filed on or after May 29, 2000

- a. _____ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- b. X Enclosed herewith is form PTO-1449.
- c. X Copy of three (3) cited references are enclosed.
- d. _____ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition, if necessary) and charge the appropriate fee to Deposit Account No. 50-0369.

Date: 3-17-2004

Respectfully submitted,



Mark S. Leonardo, Esq. (Reg. No. 41,433)
Customer No. 21710
Brown Rudnick Berlack Israels LLP
One Financial Center
Boston, MA 02111
Tel: (617) 856-8145
Fax: (617) 856-8201

